Court of Appeals
of the State of Georgia

ATLANTA, October 29, 2012

The Court of Appeals hereby passes the following order:

A12A2547, A12A2548. SUNTRUST BANK v. BICKERSTAFF; and vice versa.

We granted SunTrust Bank's application for interlocutory appeal in Case No. A12A2547 on April 24, 2012. Our decision was based on SunTrust's assertion that, for policy reasons, a trial court's order on a motion to compel arbitration should be subject to immediate review, and the fact that the Supreme Court of Georgia had recently granted certiorari on that exact issue. However, the Supreme Court on October 1, 2012, rendered its decision on that question and determined that the appellant "was not entitled to a direct appeal from the trial court's order denying its motion to compel arbitration." *American General Financial Services, Inc. v. Jape*, Case No. S12G0463, at *5 (Ga. Oct. 1, 2012). In light of this decision, SunTrust's appeal is hereby ***DISMISSED*** as having been improvidently granted. Accordingly, Bickerstaff's cross-appeal in Case No. A12A2548 is likewise ***DISMISSED***.

Court of Appeals of the State of Georgia
Clerk's Office, Atlanta, 10/29/2012
I certify that the above is a true extract from the minutes of the Court of Appeals of Georgia.
Witness my signature and the seal of said court hereto affixed the day and year last above written.

Holly K. O. Sparrow, *Clerk.*